

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
WEDNESDAY, MAY 2, 1984

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m. on Wednesday, May 2, 1984 in the City Hall Council Chambers.

ROLL CALL Present: Council Members - Hinchman, Olson, Pinkerton,
Reid & Snider (Mayor)

 Absent: Council Members - None

 Also Present: City Manager Graves, Assistant City Manager
Glenn, Community Development Director
Schroeder, Public Works Director Ronsko, City
Attorney Stein, and City Clerk Reimche

INVOCATION The invocation was given by Reverend Eugene Kreutz, Redeemer Lutheran Church

2137 PLEDGE The Pledge of Allegiance was led by Mayor Snider

2124 PRESENTATIONS Mayor Snider presented the following Proclamations:

 a) "American Association of University Women's Week"

 b) "Health Fair Day - May 16, 1984"

CONSENT CALENDAR

REPORTS OF THE
CITY MANAGER

In accordance with report and recommendation of the City Manager, Council, on motion of Council Member Reid, Hinchman second, approved the following actions hereinafter set forth.

2121 CLAIMS CLAIMS WERE APPROVED IN THE AMOUNT OF \$838,254.20

AWARD - PRESSURE City Manager Graves presented the following bids which had
TRANSDUCERS FOR been received for Pressure Transducers for the Water
THE WATER UTILITY Utility:

<u>BIDDER</u>	<u>BID</u>
Ambrosini & Chalmers, Inc.	\$17,225.00
B I F Div. General Signal Controls, Inc.	\$17,862.00
Stoneman Equipment Co.	\$23,173.40

Following recommendation of the City Manager, Council adopted the following Resolution:

RESOLUTION NO. 84-050

RES. NO. 84-050 RESOLUTION AWARDING THE CONTRACT FOR NEW PRESSURE TRANSDUCERS FOR THE WATER WELLS AS PART OF THE SUPERVISORY CONTROL AND DATA ACQUISITION SYSTEM (SCADA) RECENTLY APPROVED BY THE COUNCIL TO AMBROSINI AND CHALMERS, INC. IN THE AMOUNT OF \$17,225.00.

PLANS & SPECS
APPROVED FOR
VARIOUS
PROJECTS

COUNCIL APPROVED THE FOLLOWING PLANS AND SPECIFICATIONS AND AUTHORIZED THE CITY CLERK TO ADVERTISE FOR BIDS THEREON:

- I. Tokay Street Storm Drain
- II. Cherokee Lane Signals

cc6
cc47
SPECS ON
VARIOUS ITEMS
APPROVED

COUNCIL APPROVED THE FOLLOWING SPECIFICATIONS AND AUTHORIZED THE PURCHASING AGENT TO ADVERTISE THEREON:

I. Asphalt Rejuvenating Agent

II. Janitorial Contract

cc523
cc300
RES. OF INTEN-
TION TO ABANDON
PORTION OF
EASEMENT AT
340 EAST
KETTLEMAN LANE

COUNCIL ADOPTED RESOLUTION NO. 84-051 - RESOLUTION OF INTENTION TO ABANDON A PORTION OF AN EASEMENT AT 340 EAST KETTLEMAN LANE, SETTING THE MATTER FOR PUBLIC HEARING ON JUNE 6, 1984 AND REFERRING THE MATTER TO THE PLANNING COMMISSION FOR RECOMMENDATION.

RES. NO. 84-051

PUBLIC HEARINGS

Notice thereof having been published in accordance with law and affidavit of publication being on file in the office of the City Clerk, Mayor Snider called for the following Public Hearings:

cc512
cc149
GENERAL PLAN
LAND USE ELEMENT
AMENDMENT NO.
GPA-LU-84-2

- A) To consider the recommended approval of General Plan - Land Use Element Amendment No. GPA-LU-84-2, which consists of the following:
- 1) Section 1. The redesignation of a portion of the parcel at the southeast corner of West Turner Road and Lower Sacramento Road from Commercial to Medium Density Residential;
 - 2) Section 2. The redesignation of 800 South Beckman Road and 901 through 1123 East Vine Street from Light to Medium Industrial; and
 - 3) Section 3. The redesignation of the parcel at 1115 South Fairmont Avenue from Medium Density Residential to Office-Institutional.
- B) To consider the recommended approval of the request of Dennis Bennett on behalf of Joyce Houston and W. C. Collins to amend P-D (1), Planned Development District No. 1 by reducing the size of a 5.6 acre shopping center to provide 3.1 acres of commercial and 2.5 acres for multiple-family residents at 20 units per acre at the southeast corner of West Turner Road and Lower Sacramento Road (i.e. 2430 West Turner Road), and further recommend that the filing of a Negative Declaration by the Community Development Director was adequate environmental documentation on this project.
- C) To consider the recommended approval of the request of Ferdun and Woods to rezone 800 South Beckman Road and 901 through 1123 East Vine Street from C-M, Commercial-Light Industrial to M-1, Light Industrial, and further recommended that the filing of a Negative Declaration by the Community Development Director was adequate environmental documentation on this project.
- D) To consider the recommended approval of the request of Lodi Memorial Hospital on behalf of Daryl Geweke to rezone the parcel at 1115 South Fairmont Avenue from R-GA, Garden Apartment Residential to R-C-P, Residential-Commercial-Professional.

The matter was introduced by Community Development Director Schroeder, who presented diagrams of the subject area and responded to questions as were directed by the Council.

The following person spoke on behalf of Section "B",

1. Mr. Dennis Bennett, 503 Hampton Drive, Lodi

The following person, speaking on behalf of Ferdun and Woods, spoke in support of Section "C" heretofore set forth.

1. Mr. Glen Baumbach, 323 West Elm Street, Lodi

The following person spoke in favor of Section "D" heretofore set forth:

1. Mr. Douglas Bishop, 726 Brandywine, Lodi, representing Lodi Memorial Hospital.

There were no other persons in the audience wishing to speak either in favor or in opposition to any of the heretofore set forth items.

The public portion of the hearing was closed.

GENERAL PLAN
LAND USE
ELEMENT
AMENDMENT NO.
GPA-LU-84-2

Following discussion, on motion of Council Member Olson, Pinkerton second, Council established the following findings pertaining to GPA-LU-84-2:

1. The proposed General Plan Amendment is consistent with the Adopted Circulation, Open Space-Conservation, Interim Housing and Noise Elements;
2. The approval of the General Plan Amendment will not adversely affect an area of concern which the proposed Safety and Seismic Safety Elements, as specified in the State General Plan Guidelines, are intended to mitigate;
3. The General Plan Amendment is consistent with the Adopted Elements of the General Plan and does not adversely affect an area of concern which the proposed elements are intended to mitigate;
4. The sites are physically suited for the proposed density of development;
5. The sites are physically suited for the proposed type development;
6. The proposed General Plan Amendment is not likely to cause substantial environmental damage or substantially or avoidably injure fish or wildlife or their habitat;
7. The General Plan Amendment is not likely to cause serious public health problems; and
8. The General Plan Amendment will not conflict with easements acquired by the public at large for access through or use of property within the subdivision.

ORD. NO. 1309
INTRODUCED

Council Member Olson then moved for introduction of Ordinance No. 1309 approving General Plan - Land Use Element No. GPA-LU-84-2, which consists of the following:

1. Section 1. The redesignation of a portion of the parcel at the southeast corner of West Turner Road and Lower Sacramento Road from Commercial to Medium Density Residential;
2. Section 2. The redesignation of 800 South Beckman Road and 900 through 1123 East Vine Street from Light to Medium Industrial; and
3. Section 3. The redesignation of the parcel at 1115 South Fairmont Avenue from Medium Density Residential to Office-Institutional.

The motion was seconded by Council Member Pinkerton and carried by unanimous vote.

ORD. NO. 1310
INTRODUCED

On motion of Council Member Olson, Hinchman second, Council introduced Ordinance No. 1310 amending P-D (1), Planned Development District No. 1 by reducing the size of a 5.6 acre shopping center to provide 3.1 acres of commercial and 2.5 acres for multiple family residents at 20 units per acre at the southeast corner of West Turner Road and Lower Sacramento Road (i.e. 2430 West Turner Road) and certifying that the filing of a Negative Declaration by the Community Development Director was adequate environmental documentation on this project.

The motion was carried by unanimous vote.

ORD. NO. 1311
INTRODUCED

Mayor Snider, then moved for introduction of Ordinance No. 1311 rezoning 800 South Beckman Road and 901 Through 1123 East Vine Street from C-M, Commercial-Light Industrial to M-1, Light Industrial, and certifying that the filing of a Negative Declaration by the Community Development Director was adequate environmental documentation on this project.

The motion was seconded by Mayor Pro Tempore Hinchman and carried by unanimous vote.

ORD. NO. 1312
INTRODUCED

Council Member Olson then moved for introduction of Ordinance No. 1312 rezoning the parcel at 1115 South Fairmont Avenue from R-GA, Garden Apartment Residential to R-C-P, Residential-Commercial-Professional. The motion was seconded by Council Member Reid and carried by unanimous vote.

PLANNING
COMMISSION

City Manager Graves gave the following report of the Planning Commission meeting of April 23, 1984

PUBLIC HEARING
SET RE TANDY-
JOHNSON RANCH

The Planning Commission -

1. Recommended that Final Environmental Impact Report (EIR 83-3) of the Tandy-Johnson Ranch, a 48 acre residential and commercial planned development proposed for the south side of Almond Drive and the west side of Cherokee Lane, be certified as adequate;
2. Recommended that General Plan - Land Use Element Amendment GP-LU-84-1, which encompasses the Tandy-Johnson Ranch, be approved as submitted by the applicant; and
3. Recommended that Tandy-Johnson Ranch be zoned P-D (19), Planned Development District No. 19 with the following requirements:
 - a. that the 6 acres of commercial zoning on the west side of Cherokee Lane, north and south of the future extension of Century Boulevard conform to the development standards of the C-S, Commercial-Shopping District;
 - b. that the cluster homes (i.e. condominiums) portion of the development be limited to 10 units per acre and conform to the development standards of the R-GA, Garden Apartment Residential District; and
 - c. that the single-family portion of the development conform to the development standards of the R-2, Single-Family Residential District.

On motion of council Member Reid, Hinchman second, the heretofore listed items were set for Public Hearing at 8:00 p.m. on May 16, 1984.

ITEMS OF
INTEREST

City Manager Graves gave the following report of the Planning Commission Meeting of April 23, 1984:

The Planning Commission-

1. Conditionally approved the request of Ermanno DeBernard for a Use Permit to convert a portion of a restaurant and cocktail lounge located at 100 and 112 South Cherokee into a card room, in a area zoned C-2, General Commercial.
2. Determined that a Zoning Hardship existed and approved the request of Larry Geweke for a Variance to permit a 2½ foot encroachment into the required 10 foot rear yard at 1650 Edgewood Drive in an area zoned P-D (8), Planned Development District No.8.
3. Conditionally approved the Tentative Parcel Map request of Matthews Homes on behalf of the Estate of Kenneth Lobaugh to divide a 35.8 acre parcel into 2 parts with Parcel "A" containing 18.7 acres and Parcel "B" containing 17.1 acres at 1700 West Kettleman Lane (APN-057-580-30) in an area zoned P-D (24), Planned Development District No.24.
4. Conditionally approved the Tentative Subdivision Map request of Ronald B. Thomas on behalf of the Roman Catholic Church Diocese of Stockton for Willow Court, an 18-lot single-family development proposed for the east side of Lower Sacramento Road, 327 feet north of the centerline of West Elm Street in an area zoned R-2, Single-Family Residential.
5. Approved the Tentative Parcel Map request of Ronald S. Addington on behalf of First Nationwide Savings to adjust the common lot line between Lots 95 and 96 in Lakeshore Village, Unit No. 2, in an area zoned P-D (21), Planned Development District No. 21.

COMMUNICATIONS

CITY CLERK

City Clerk Reimche presented the following letter which had been received from Wilbert Ruhl:

APPEAL REC'D
FROM WILBERT
RUHL RE
TANDY-JOHNSON
RANCH

"Dear Council Members,

I would like to appeal the April 16, 1984 Lodi Planning Commission's action on the Tandy-Johnson Ranch.

Sincerely,

s/Wilbert Ruhl"

Council was apprised that this is not an item which could be appealed to the Council.

City Clerk Reimche presented the following letter which had been received from Mayor Peggy Mensinger, City of Modesto, re seeking passage of AB 2894:

"The City of Modesto is seeking passage of AB 2894 (Condit) which would give cities greater control of safety on residential collector streets.

Enclosed is a copy of AB 2894 which would amend the Vehicle Code to allow for 30 mph radar speed limits on streets that qualify for 25 mph non-radar limits. The intent is to give local governments the authority to set "prima facie" speed limits on residential collector streets and to use radar to enforce those speed limits.

Present law does not permit radar speed limits on collector streets unless there has been a "traffic and engineering survey." The surveys set the limit at what 85% of the cars are doing. This often results in limits that are in excess of normal 25 mph and 30 mph speeds for residential areas. Of major concern to us is the danger to school children who use the streets to and from school.

AB 2894 is set for hearing in the Assembly Transportation Committee on April 24. The league of California Cities strongly supports AB 2894. We are anticipating heavy opposition from the Automobile Club of Southern California, the California State Automobile Association and the Teamsters, and need a strong lobbying effort from cities if this important bill is to become law. The Assembly member who represents your city sits on this Committee. Please contact him/her and ask for a "Yes" vote on AB 2894. Thank you.

Sincerely,

s/Peggy Mensinger
Mayor"

RES. 84-052
SUPPORTING
AB 2894

Following discussion, on motion of Mayor Snider, Reid second, Council adopted Resolution No. 84-052 supporting passage of AB 2894. The City Clerk was directed to forward copies of the subject Resolution to "our" Legislators and to Mayor Peggy Mensinger of Modesto.

ABC LICENSES

City Clerk Reimche presented the following applications for the Alcoholic Beverage Licenses which had been received:

- a) Canteen Corporation
Lodi Softball Complex
401 North Stockton Street
Lodi, CA 95240
Off sale beer and wine
- b) Tony's Casa Di Pasta, Inc.
107 Lakewood Mall
Lodi, CA 95240
On sale beer and wine eating place

COMMENTS BY
CITY COUNCIL
MEMBERS

Council Member Reid presented a proposed Resolution which would prohibit smoking in the Council Chambers during meetings being conducted by the City Council in the Chambers.

RES. ADOPTED
RESTRICTING
SMOKING DURING
MEETINGS BEING
CONDUCTED BY
THE CITY
COUNCIL IN THE
CITY HALL
COUNCIL
CHAMBERS

A lengthy discussion followed with Council Member Pinkerton asking the City Clerk for information in bringing such a matter to the vote of the people as an advisory measure. Following additional discussion, on motion of Council Member Reid, Hinchman second, Council adopted Resolution No. 84-053 A Resolution of the City Council of the City of Lodi restricting smoking during meetings being conducted by the City Council in the City Hall Council Chambers. The motion carried by the following vote:

Ayes: Council Members - Olson, Reid, & Snider

RES. NO. 84-053

Noes: Council Members - Hinchman & Pinkerton

PUBLIC WORKS
EMPLOYEES
COMMEDED

The City Clerk was directed to forward letters of commendation on behalf of the City Council to Public Works Department employees involved in the installation of the sprinkler system, turfing, and landscaping at the Animal Shelter Complex and to Marvin Davis and other Engineering personnel who donated their personal time to provide the required

APPOINTMENTS TO
VARIOUS BOARDS
AND COMMISSIONS

Council, on motion of Council Member Reid, Olson second, concurred, with the following appointments to the Lodi Arts Commission made by Mayor Snider:

LODI ARTS COMMISSION 3 yr. term commencing 5/5/84

Carol J. Marvel (Reappointment)

Melvin J. Brenner (Reappointment)

D. Juan Gonzalez (Reappointment)

Douglas S. Riddle

Mayor Snider also made the following appointments:

NCPA Commission Alternate - John "Randy" Snider - Unspecified Term

COG Alternate - David Hinchman - Unspecified Term

COMMENTS BY THE
PUBLIC ON NON
AGENDA ITEMS

There were no persons in the audience wishing to speak under this segment of the Agenda.

ORDINANCES

ORD. INTRODUCED
AMENDING THE
HOUR AT WHICH
REGULAR COUNCIL
MEETINGS WILL
COMMENCE

6/6/84

Following introduction of the matter by Mayor Snider and discussion, with questions being directed to the City Attorney, Council, on motion of Mayor Pro Tempore Hinchman, Olson second, introduced Ordinance No. 1313 amending Section 2-1 of the City Code entitled, "Regular Meetings - Time of Holding" amending the hour at which regular Council Meetings will commence to 7:30 p.m. The motion carried by the following vote:

ORD. NO. 1313
INTRODUCED

Ayes: Council Members - Hinchman, Olson, Reid, and Snider (Mayor)

Noes: Council Members - Pinkerton

Absent: Council Members - None

PRESENTATION/
HEARING RE
COMMUNITY
DEVELOPMENT
BLOCK GRANT
PROGRAM
DEFERRED TO
5/16/84
MEETING

6/6/84

Agenda item K-2 - Presentation/Hearing regarding Community Development Block Grant Program was introduced. Council Member Pinkerton requested that inasmuch as there was no television coverage of this Council meeting he would ask that the matter be deferred to the meeting of May 16, 1984. Following discussion, on motion of Council Member Pinkerton, Olson second, the matter was deferred until the May 16, 1984 regular meeting by the following vote:

Ayes: Council Members - Pinkerton, Olson, and Reid

Noes: Council Members - Hinchman and Snider (Mayor)

PUBLIC HEARINGS
SET FOR
VARIOUS
UNIFORM CODES

6/6/84

Following introduction of the matter and discussion, on motion of Council Member Reid, Olson second, Council set a Public Hearing on Wednesday, May 16, 1984 at 8:00 p.m. to consider various proposed ordinances to adopt the following Uniform Codes:

- a) 1982 Uniform Building Code
- b) 1982 Uniform Plumbing Code
- c) 1982 Uniform Mechanical Code
- d) 1982 Uniform Fire Code

- e) 1982 Uniform Housing Code
- f) 1982 Uniform Code for the Abatement of Dangerous Buildings
- g) 1981 National Electrical Code

UTILITY
DIRECTOR
DAVE CURRY TO
RETIRE
EFFECTIVE
11/1/84

City Manager Graves announced the retirement of Utility Director Dave Curry, effective November 1, 1984.

ADJOURNMENT

There being no further business to come before the Council Mayor Snider adjourned the meeting at approximately 9:15 p.m.

Attest:

Alice M. Reimche
Alice M. Reimche
City Clerk